

29th March 2021

Aindil Minkom
President
Shire of Cocos (Keeling) Islands
Lot 256 Jalan Melati
Home Island
COCOS (KEELING) ISLANDS WA 6799

Cocos Boronia Resort Pty Ltd application to lease land on Direction Island and water area adjacent to that land from the Shire of Cocos (Keeling) Island and the Commonwealth of Australia.

Dear Councillor,

As you would be aware Cocos Boronia Resorts is patiently waiting for advice on the approval of the Shires application to DITRDC to lease 7.18ha of the lagoon adjacent to our approved land lease on Direction Island.

Because of the pandemic and other unknown delays in DITRDC, on the 12th November 2020 Cocos Boronia Resort Pty Ltd applied to the Shire for an extension on the date set as the expiry date for the signing of the land lease.

At Councils 9th of December 2020 meeting Council resolved:

THAT COUNCIL ACTING IN ITS CAPACITY AS TRUSTEE OF THE 1984 LAND TRUST DEED, BY SIMPLE MAJORITY, PURSUANT TO SECTION 3.58 OF THE LOCAL GOVERNMENT ACT (WA) (CKI) 1995 RESOLVES TO APPROVE THE REQUEST FROM COCOS BORONIA RESORT FOR AN EXTENSION FOR THE EXECUTION OF THE LEASE FOR FOUR MONTHS FROM 9 DECEMBER 2020 (I.E. THE DATE OF THIS COUNCIL MEETING) MAKING 9 APRIL 2021 THE NEW DEADLINE FOR THE LEASE TO BE EXECUTED.

As the approval process in DITRDC continues to drag on and, aware of the expiry date of the 9th April 2021, in early March I had a phone conversation with your then CEO Andrea Selvey and addressed the matter. I suggested that I needed to make a further application to Council at its ordinary March Council meeting seeking a further extension of time to sign the land lease.

Andrea's advice was that it was now not up to me to seek the extension but DITRDC as they are the cause of the delay. Andrea advised that she would discuss the matter with the Department.

As the 9th of April is approaching, I have not had or seen any correspondence from DITRDC to the Council seeking an extension of time on behalf of Cocos Boronia Resort Pty Ltd.

Can you please advise if you have received a request from DITRDC on behalf of my company for a date extension?

If you have what is Council's advice. If you have not, where does Cocos Boronia Resort stand moving forward.

Is it too late to have the request listed as an agenda item for your meeting this Wednesday?

If so, it will mean the expiry date of the 9th April falls between this meeting on Wednesday and your next meeting listed for the 28th April 2021.

I do not want a situation where Cocos Boronia Resort Pty Ltd is in default after the 9th April 2021 through no fault of CBR.

Your advice would be welcome thanks.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Chris Blakeman". The signature is fluid and cursive, with a long horizontal flourish at the end.

Chris Blakeman